

Introduction

The Tims Ford Reservoir Land Management and Disposition Plan (Plan) is a study of the Tims Ford Project land surrounding the reservoir. This Introduction provides background information about TVA and TERDA land management throughout its history and the management of land surrounding Tims Ford Reservoir. It explains the purpose of the Plan and describes the process used to develop the Plan. The Tims Ford Reservoir Regional Overview describes the natural and social development of the reservoir and the surrounding area. Tims Ford Reservoir Land Planning Goals and Objectives list the objectives around which the Plan was developed. Parcel Allocations include a summary of the allocation process, zone definitions, and parcel descriptions documenting land management allocations. The allocation map is stored in the back cover of the document.

Background

The massive dam and reservoir construction program that was undertaken by TVA following its creation in 1933, required the purchase of over one million acres of land for the creation of 34 reservoirs in five of the seven states in the Tennessee Valley region. Approximately 600,000 acres of that land lie above the summer pool elevation of the TVA reservoir system.

Arthur Morgan, Chairman of the TVA Board in the 1930s, viewed public land ownership as a tool to promote social objectives. Throughout its history, TVA has managed the public reservoir lands under its stewardship to meet a wide range of regional and local resource development needs and to improve the quality of life, both within specific reservoir areas and throughout the Tennessee Valley. Reservoir properties, together with adjoining private lands, have been used for public parks, industrial development, commercial recreation, residential development, tourism development, forest and wildlife management areas, and to meet a variety of other needs associated with local communities.

Today, TVA's land base Valley wide has been reduced to less than 265,000 acres due to past conveyances of land. Out of these 265,000 acres, approximately 80,000 acres do not have prior commitments and are available for future TVA uses. An increasing demand for use of reservoir land sometimes results in conflicting and uneconomical land use patterns and friction between public and private use. These competing interests and development pressures, coupled with today's environmental awareness, underscore the necessity for a planned approach to the management of TVA's reservoir land and related resources.

TVA initiated a comprehensive reservoir land management planning process in 1979. Since that time, land management plans have been completed and approved by the TVA Board of Directors for seven mainstream reservoirs (Pickwick, approved in 1981; Guntersville, approved in 1983; Kentucky, approved in 1985; Watts Bar, approved in 1988; Chickamauga, approved in

1989; Nickajack, approved in 1990, Wheeler, approved in 1995) and two tributary reservoirs (Boone and Melton Hill Reservoirs, approved in 1999). In addition, two special studies have been completed for Fort Loudoun Reservoir and the Muscle Shoals/Wilson Dam Reservations. Planning for the 17 multipurpose tributary reservoirs began in 1997 using a streamlined planning process. This Plan uses the new planning process.

TVA has responsibilities under the TVA Act relating to the control and use of the Tennessee River and its tributaries, and the development and use of the resources of the Tennessee Valley. Since 1933, TVA has cooperated with other public agencies, landowners, and industries in comprehensive resource development in the Tennessee Valley region. In 1961, it established an Office of Tributary Area Development to coordinate the activities of TVA program divisions in cooperation with other public agencies and with representative citizen groups active in furthering resource development in tributary areas.

The Elk River Development Association (ERDA) was chartered in October 1959 to “plan, promote, and sustain a program for full development of the land and water resources of the Elk River valley.” This area contains 2,249 square miles, including all or portions of 10 counties—8 in Tennessee and 2 in Alabama. Since that date, TVA and other public agencies have been cooperatively engaged in a unified comprehensive resource development program in the Elk River watershed. Every citizen of the watershed was eligible to join the Association and participate in the cooperative program.

The Tennessee Elk River Development Agency (TERDA), an organization complementary to the Association, was created by the 1963 session of the Tennessee State Legislature as “a public body corporate and politic” to develop and effectuate “plans and programs for comprehensive development including the control and development of the water resources,” with the legal authority necessary to carry out certain phases of the resource development program being planned for the watershed. It was vested with legal powers to receive appropriations, enter into and carry out contracts, and perform other functions which can be performed only by public agencies.

In December 1964, Contract No. TV-25723A, a Memorandum of Understanding (MOU) among the Elk River Development Association (ERDA), TERDA, and TVA, defined areas of responsibility and established guidelines for cooperation among the parties in a program aimed at fully developing and properly using all resources of the watershed, singly and in combination, to ensure maximum economic growth and obtain related benefits.

In the 1964 MOU, ERDA agreed to:

- Accept primary responsibility for planning and promoting a unified comprehensive resource development program for the Elk River watershed.

- Plan and conduct a continuing information and education program to develop and sustain a broad base of public understanding and participation in the resource development program, thereby ensuring maximum benefits to the watershed.
- Provide advisory assistance to TERDA and TVA in the planning and performance of their respective responsibilities.

TERDA agreed to:

- Provide staff support and assistance to ERDA, including but not limited to, the services of the TERDA executive secretary.
- Accept primary responsibility for obtaining appropriate local financial participation in the area development program and in water control improvements which may be a part of that program.
- Work with TVA and state agencies to develop land use and management plans to ensure maximum benefit to the public from reservoirs created as part of the area development program.
- Provide advisory assistance to ERDA, TVA and other participating agencies.

TVA agreed to:

- Provide (or assist in obtaining) technical assistance and support for ERDA and TERDA in their area development activities.
- Assume, within the limits of available funds, primary responsibility for planning construction and operation of a comprehensive water control system in the watershed as part of the area development program.
- Work with TERDA in obtaining local financial participation in this program.

Through its Office of Tributary Area Development, provide liaison among the parties and their cooperating agencies.

ERDA, TERDA, and TVA agreed to:

- Each of the ERDA resource work groups, in cooperation with the appropriate TVA program divisions, will each year prepare written work plans outlining activities to be carried out in its respective resource field. These work plans will be coordinated and reviewed by ERDA steering committee, appropriate representatives of TERDA, and TVA's Office of Tributary Area Development.
- Each of the parties to this agreement will be responsible for obtaining the cooperation, support, and assistance of state and local agencies within their respective areas of responsibility.
- This memorandum is subject to change through mutual agreement as required by the needs of the area development program in the Elk River watershed.

The work of ERDA, over a period of years, and of TERDA since it was created in 1963, reached an important goal when the Tims Ford Project was approved by the U.S. Congress in the fall of 1965. Steps leading to the approval of Tims Ford Reservoir were:

1. In May 1964, TVA reported to ERDA and TERDA that the Tims Ford Project was feasible, having a cost-benefit ratio of 1:4.
2. In July 1964, TERDA and ERDA passed formal resolutions giving their full support to the project. Both organizations as well as other citizen groups, public officials, and individuals continued their efforts for the project until it was approved.
3. On April 8, 1965, a local participation agreement was signed by TERDA and TVA to provide for TERDA responsibility in the financing and management of the lands surrounding the reservoir.
4. On May 17, 1965, TERDA and TVA signed Contract No. TV-27333A assigning their responsibilities in management and development of the Tims Ford Project.
5. On October 28, 1965, President Lyndon Johnson signed the Public Works Appropriation Act providing \$5.7 Million for TVA to begin construction of Tims Ford.
6. On June 9, 1966, officials of TERDA, TVA, and the State Planning Commission met and established policies to facilitate planning activities around the Tims Ford Project. These policies were approved by TERDA on July 14, 1966.

Under this agreement, TVA built and operates the project for such purposes as flood control, power generation, and water quality control. TERDA will carry out a variety of local responsibilities needed to ensure full realization of the opportunities the project offers to expand the area's full economic growth. These include:

- Operation and managing shoreline lands for recreational, residential, and industrial development.
- Providing water supplies for farm, industrial, and municipal uses.
- Creating a fund to help stimulate area-wide economic development.
- Repaying part of project construction costs to the Federal Treasury.

In March of 1967, representatives from TVA and TERDA set out to produce a Preliminary Land Use Map and Outline for the Tims For Reservoir Development Plan. Estimated acreages from that map are outlined below.

Land Use	Sites	Acres above 888-foot contour
State Park Study Area	1	1,800
Dam Reservation	1	295
Public Recreation and Access	36	900
Commercial Recreation	8	980
Group Camps	4	950
Club Sites	5	1,000
Industrial Sites	7	300

In the course of this project, draft land use outlines and plan maps were common planning tools.

The dam was completed and began operation in 1970. The drainage area above the dam site located at Elk River Mile 133.3 in Franklin County, Tennessee, is approximately 529 square miles. The original river area within the reservoir covered approximately 480 acres. The estimated reservoir statistics at normal summer pool level of 888 feet above mean sea level (888-foot contour) resulted with length of the reservoir at 34 miles, 275 miles of shoreline, and 10,680 acres at normal summer pool. Maximum (top of spillway gates) pool elevation would be at 895 contour covering approximately 12,100 acres. This estimates 1,400 acres between the 895 and 888 contours. The estimate of land needed at the beginning of the project was 21,863 acres.

On September 18, 1980, TVA and TERDA mutually agreed to terminate Contract No. 27333A and enter into an agreement designated in TVA records as Contract No. TV-50000A, which provided for the parties to engage in a cooperative program of comprehensive, unified resource development for the purpose of fostering the orderly physical, economic, and social development of the Elk River areas.

The Tims Ford Project was operated and managed by TERDA in cooperation with TVA until April, 1996. Under the agreement, real property interests above the 895-foot contour purchased by the federal government for this project that were voluntarily sold were purchased in the name of TERDA with TVA holding first lien. Any tracts acquired under the power of eminent domain were purchased in the name of the United States Government and remain under the custody of TVA. All lands acquired in the name of TERDA below the 895-foot contour were transferred to TVA to be used for flood control, power generation, and other uses deemed by TVA to be essential for the proper operation of the Tims Ford Project. During that time, TERDA developed:

- 21 subdivisions with residential access around the shoreline of Tims Ford Reservoir;
- Transferred 1,680 acres of land for the Tims Ford State Park;
- Allocated land for two municipal parks for the cities of Winchester and Estill Springs;
- 9 public boat launching facilities;
- Devils Step Campground (operated by TERDA);
- 2 private marinas;
- Administered numerous agricultural licenses and provided water supplies for farming, industrial, and municipal uses.

The General Assembly of the State of Tennessee passed Public Chapter No. 816 on April 26, 1996, terminating and ceasing all activities of TERDA and transferred all of TERDA's powers, duties, contractual obligations, and functions to the Tennessee Department of Environment and Conservation (TDEC). Among the duties of Public Chapter No. 816, the General Assembly urges TDEC to dispose of all remaining properties belonging to the TERDA as expeditiously as practicable and lawful. On February 10, 1998, in partnership between TVA and TDEC, and in order to provide for the development of a comprehensive Land Management and Disposition Plan, TVA and the State of Tennessee entered into an agreement between TVA and TDEC known as Contract No. 98RE2-229151 thus replacing Contract No. 50000A.

The new contract agreement redefined roles and responsibilities of both agencies and stipulated the cooperative development of a Plan to dispose of the remaining land interests acquired as a result of Public Chapter 816 of 1996. Development of this draft Plan will comply with Public Chapter 816 of the 1996 Tennessee General Assembly and will fulfill the original congressional intent of the Tims Ford Project.

Purpose

The purpose of this Plan is to foster the comprehensive economic and social development of the Elk River area through the development of a Land Management and Disposition Plan in accordance with Public Chapter 816 of the Tennessee General Assembly. The Plan is intended to provide a clear statement of how the land will be managed by zone, identify land for specific uses, minimize conflicting land uses, and improve responsiveness to the public concerning land use requests.

The Plan uses an integrated resource management approach that focuses on balancing flood control, navigation, power generation, water quality, recreation, residential, and industrial land use needs to obtain the optimum benefits for the Elk River watershed. Land planning supports TVA's corporate strategic goals to be environmentally responsible, customer-driven, and growth-oriented by providing a framework for deciding the best use of TVA and TDEC land toward continued implementation of the TVA mission.

This Plan will guide resource management and administration decisions on approximately 9,644 acres of project lands around Tims Ford Reservoir that are under stewardship. It identifies the most suitable uses for 148 parcels of project land, by providing areas for project operations, sensitive resource management, natural resource conservation, industrial/commercial development, recreation, residential access, and conservation partnership. The planned acreage is owned by TDEC and TVA and accounts for approximately 195 miles of reservoir shoreline. It also categorizes residential access into three categories (managed residential, residential mitigation, and shoreline protection) in accordance with the Shoreline Management Initiative (SMI) Environmental Impact Statement (EIS) which was approved by the TVA Board in April 1999. The Record of Decision (ROD) for SMI was signed on May 24, 1999.

Process

TVA has responsibilities under the TVA Act relating to the control and use of the Tennessee River and its tributaries, and to the development and use of the resources in the Tennessee Valley. TVA has managed the public reservoir land under its stewardship to meet a wide range of regional and local resource development needs and to improve the quality of life, both within specific reservoir areas and throughout the Tennessee Valley. Reservoir properties, together with adjoining private lands, have been used for public parks, industrial development, commercial recreation, residential development, tourism development, forest and wildlife management areas, and to meet a variety of other needs associated with local communities.

An increasing demand for and use of reservoir land sometimes results in conflicting and uneconomical land use patterns between public and private use. These competing interests and development pressures, coupled with today's environmental awareness, underscore the necessity for a planned approach to the management of reservoir land and related resources.

The land planning process has been refined to improve the efficiency of land planning and the flexibility of the product. The land planning process is currently conducted under the National Environmental Policy Act (NEPA) regulations that require environmental review of federal actions having the potential to impact the environment.

Land planning supports state and federal goals to be environmentally responsible, customer driven and growth oriented by providing a framework for deciding the best use of public land.

Land planning is a systematic method of identifying and evaluating the most suitable use of the land. It uses resource data, computer analysis, and input from the public, other agencies, and staff to allocate land to clearly defined zones (see Planned Land Use Zone Definitions on Table 2 for a detailed information). These zones are:

- Zone 1 - Non-TVA Shoreland (e.g., flowage easement land)
- Zone 2 - TVA Project Operations
- Zone 3 - Sensitive Resource Management
- Zone 4 - Natural Resource Conservation
- Zone 5 - Industrial/Commercial
- Zone 6 - Recreation
 - State Park Expansion
- Zone 7 - Residential Access
 - Residential Development
- Zone 8 - Conservation Partnership

The Plan was developed by a team of land managers and technical experts from both TDEC and TVA, knowledgeable about the reservoir and its resources. The planning team made land

use decisions by integrating public needs, environmental conditions, economic benefits, state and federal policies, and taking into consideration legislative requirements of Public Chapter 816 and the original congressional intent of the Tims Ford project. The process includes:

- Identification of existing landrights. “Committed lands” (parcels with existing commitments through transfers, leases, licenses, contracts, and agency projects) were, in most cases, automatically allocated to their existing use. No new field data was collected on such parcels.
- Compilation of existing resource data for all reservoir land.
- Field collection of new resource data for federally mandated categories (i.e., sensitive resources such as wetlands, threatened and endangered species, and archeology/historical) on “uncommitted” land—e.g., land with no prior commitments, as defined above.
- Allocation of the lands with identified critical sensitive resources (from existing and new data) to the Sensitive Resource Management Zone.
- Identification of issues and concerns about Tims Ford Reservoir land from the public and other local, state, and federal entities.
- Analysis of land capability and suitability by resource managers based on rating/ranking of parcels for specific land uses.
- Initial allocation of uncommitted parcels by the Land Planning Team based on public input and land needs justification (capability rating/ranking analysis).
- Development of a draft EIS and Plan based on proposed allocations.
- Internal and external reviews of the draft EIS and Plan.
- EIS and Plan revisions based on internal and external reviews.
- Approval of final EIS/Plan by TVA Board of Directors and the Tennessee State Building Commission.

Land planning for the Tims Ford Reservoir used TVA’s Geographic Information System (GIS) automated landrights database to identify ownership patterns for TVA and TDEC land to be planned. All new data collected during the planning process is stored in the GIS system. Stored data is retrieved and analyzed by the system. Plan maps and other reports are generated by GIS and the TVA Wheeler Watershed Team, Muscle Shoals, Alabama.